Remarks

Applicants respectfully request reconsideration of the present U.S. Patent

application as amended herein. Claims 1-47 have been withdrawn. Claims 48, 58-66 and

69 have been amended. Claims 67 and 68 have been canceled. Thus, claims 48-66, 69

and 70 are pending.

Claim Rejections - 35 U.S.C. § 101

Claims 58-68 were rejected as being directed to non-statutory subject matter.

Claims 67 and 68 were previously canceled. Claims 58-66 have been amended.

Applicants submit that claims 58-66, as amended, recite statutory subject matter and

request that the claim rejection under 35 U.S.C. § 101 be withdrawn.

Claim 58 recites the following:

> A computer data signal embodied in a propagated signal
> comprising:
> one or more vehicle descriptor language (VDL) datagram(s),
> transmitted via the propagated signal from one computing system to
> another computing system to communicate information regarding a
> particular vehicle, the signal datagram(s) further comprising:
> (a)   a public block of data, having starting and ending
> delimiters that identify the beginning and end of the block of data,
> wherein the public block of data comprises:
>
> ...
> (b)   a private block of data comprising a plurality of data items
> relating to the customer who is ordering the vehicle.

Thus, Applicants claim a computer data signal embodied in a propagated signal. The

computer data signal includes one or more datagrams having a public block of data and a

private block of data.

According to The Examination Guidelines for Computer-Related Inventions

(March, 1996), a carrier signal is a statutory article of manufacture. Therefore, claims

58-66 are directed to a statutory article of manufacture. Accordingly, Applicants request

that the rejection of claims 58-66 under 35 U.S.C. § 101 be withdrawn.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 48-66 and 69-70 were rejected as being unpatentable over U.S. Patent No.

5,748,618 issued to Rothrock (*Rothrock*) in view of a draft proposal entitled "An Industry

Standard Data Format for the Export and Import of Automotive Customer Leads" (the

Proposed Standard").

Claim 48 recites:

A vehicle description language (VDL) hierarchical data structure
that is stored in a memory system of one or more communicatively
coupled computing systems and transmitted via communications medium
between the communicatively coupled computing systems to
communicate information associated with a vehicle in support of
application(s) executing thereon, the data structure comprising:
(a)   a public block of data, having starting and ending
delimiters that identify the beginning and end of the block of data,
wherein the public block of data comprises:
(i)   a vehicle identification sub-block hierarchically
nested in the public block of data and comprising a
plurality of data items wherein the data items are selected
from the group consisting of manufacturer, model, model
year and style of the vehicle,
(ii)   a vehicle detail sub-block hierarchically nested in
the public block of data, wherein the vehicle detail sub-
block comprises:
(1)   a standard feature sub-block hierarchically
nested in the vehicle detail sub-block and
comprising a plurality of standard feature
categories, wherein each standard feature category
is hierarchically nested in the standard feature sub-
block and comprises a plurality of data items

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> relating to standard equipment available on a
> vehicle, and
> (2)   an optional feature sub-block hierarchically
> nested in the vehicle detail sub-block and
> comprising a plurality of option categories, wherein
> each option category is hierarchically nested in the
> option sub-block and comprises a plurality of data
> items relating to a particular category of optional
> equipment desired on a particular vehicle; and
> (b)   a private block of data comprising a plurality of data items
> relating to the customer who is ordering the vehicle.

Thus, Applicants claim a hierarchical data structure provides a standardized data structure

to facilitate the communication of not only vehicle information, but a secure means of

communicating customer information. Claim 58 is drawn to a computer data signal and

recites similar limitations. Claim 69 is directed to a data storage medium and recites

similar limitations.

Rothrock is directed to data storage for electronic data conferencing. See

Abstract. While *Rothrock* may disclose both public and private data, *Rothrock* does not

disclose or suggest a hierarchical structure including standard features associated with an

automobile and optional features associated with the automobile. Specifically, *Rothrock*

discloses an arbitration mechanism that allows participants in a multi-location electronic

meeting to annotate a document. See Figures 5A-5E and associated description. A single

page can have multiple annotations. See Figure 5E. However, *Rothrock* does not

disclose any hierarchical structure in which standard and optical features (whether

associated with an automobile or not) can be stored. Therefore, *Rothrock* does not teach

or suggest the invention as claimed in claims 48, 58 and 69.

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Applicant respectfully submits that the *Proposed Standard* merely provides one example of a data format that can be used in the import and export of customer leads. The *Proposed Standard* is directed to communicating data using the Extensible Markup Language (XML). In this regard, the proposed data format includes information regarding the vehicle and a prospective customer (see, pages 5-11). The *Proposed Standard* is silent, however, as to the maintaining the customer-centric information in a private, or secure, section of the data format.

Applicants submit that neither *Rothrock* nor the *Proposed Standard* provide motivation for the combination set forth in the Office Action. *Rothrock* discloses private and public data, but does not disclose maintaining customer-centric information in private and public data structures. As mentioned above, the *Proposed Standard* also does not disclose maintaining customer-centric information in private and public data structures. Therefore, assuming, *arguendo*, that *Rothrock* and the *Proposed Standard* can be combined, no combination of *Rothrock* and the *Proposed Standard* results in the claimed invention. Thus, no combination of *Rothrock* and the *Proposed Standard* can render the invention claimed in claims 48, 58 and 69 obvious.

Claims 49-57 depend from claim 48. Claims 59-66 depend from claim 58. Claim 70 depends from claim 69. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 49-57, 59-66 and 70 are not rendered obvious by *Rothrock* and the *Proposed Standard* for at least the reasons set forth above.

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Claims 48-66, 69 and 70 were rejected as being unpatentable over *Rothrock* in view of U.S. Patent No. 5,113,341 issued to Kozol, et al. (*Kozol*). As discussed above, *Rothrock* does not teach or suggest any hierarchical structure in which standard and optical features (whether associated with an automobile or not) can be stored. Without the need to further characterize the *Kozol* reference, and without adopting the Examiner's characterization thereof, Applicant respectfully submits that the *Kozol* reference is not cited as curing and does not, in fact, cure the limitations identified above. That is, the Action acknowledges that the *Kozol* reference fails to disclose or suggest the use of public and private data elements within a vehicle description language data structure, as claimed in amended claim 48. Insofar as *Rothrock* fails to cure this limitation, Applicant respectfully submits that claim 48, as amended is not rendered obvious by combination of *Rothrock* and *Kozol*.

Applicant respectfully submits that claims 58 and 69 include features similar to those identified above in amended claim 48, albeit in accordance with their respective embodiments. Accordingly, Applicant respectfully submits that claims 58 and 69 are likewise not rendered obvious by combination of *Rothrock* and *Kozol*.

Claims 49-57 depend from claim 48. Claims 59-66 depend from claim 58. Claim 70 depends from claim 69. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 49-57, 59-66 and 70 are not rendered obvious by *Rothrock* and *Kozol* for at least the reasons set forth above.

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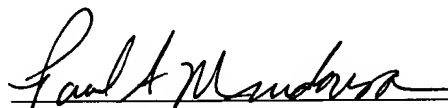Response to Office Action of July 9, 2003

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Conclusion

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 48-66, 69 and 70 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.
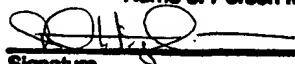
Respectfully submitted,
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